P. F. 125 of 93.

G. R. S. IX-5

Previous references.

1892-93
~~1892~~

File 154 of 92.

Later references. (L. R.)

Serial Nos. 1[illegible]

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1105

M ~~Part~~ B for May 1894.

SUBJECT.

Official of Nanjangud & Sychanahalli Articles Cable Regarding the Palebi Claim

A. D. 1878 & 79 Sess. 95.

Pet.r - Kaaje Sarda, Sen.r
Kaajesarda

Cause &c. - Appearance

The Pet.r owns a right in the land of Kapisthalam which is an Inam village, and owns that certain land held by him in the village are Ewatti lands attached to the Office. The Inamdar draws the profit.

One Venkatramanakal was the Inamdar. It is asserted by Petitioner that the Inamdar was likewise hereditary the duties of the Office which his fathers dealt with, and place about 20 years ago; and in 1878-79, when nominations for Inam villages, first granted a Sanad to the said Venkatramanakal. On this the Pet.r first transferred the village to Govindier Appania gave over the papers & deeds & Sanads to the above and addressed a letter to the Collr

Cockburn Bay; that the Patrick next applied to have be taken from Underhill and the latter expressed his readiness to appear & oppose - peremptorily demanded & declared the matter on the default

The Defts complainant that the Smith land was wrongly included in the said deed executed by the late Indian to James & Charles Defts and that the Smiths attestation had been signed in the deed - The Complainants urged that the attestation was genuine and that the land were not Smith's land.

The Petition produced in support of his contentions —

(1) A Petition presented by the inhabitants in 1864 complaining of encroachment of the Smith's land by the Indian. The Petition was signed by the Defts James for protection of Smiths encroachments & this was what was done thereafter.

(2) A letter accepted by Defts in the complaining of the Smiths obstruction of Public Road from Cockburn - The Smiths referred thereto the Petition &c.

(3) 37 receipts for payment of Rents of Rice &c paid by the

(General Serial No. 325)

189

No. 2123

Name of Petitioner. Kade Gowda s/o Patel Kalegowda

Village. Bychapalli (Madhakeri)

Taluk. Arakalgud

District. Hassan

Date of Arzi. 28. 9 92

Date of Receipt. 15/10. 92

Date of Disposal.

No. of Enclosures. — Two —

ABSTRACT.

Appealing against the order of the Deputy Commissioner, Hassan dt 28 regarding petitioners claim for the Patelship of Kalla-patna Village

Case

Papers

Filed 1/4/93

1. Copy sufficient
2. Order pronounced.
3. The order is dated 22-9-92. The appeal petn is dated 7-10-92. The petn was rec'd on 15-10-92. The appeal time expired on 20-1-93, but the petr's plea that the order was transmitted & thro' the Amildar and delivered on 11-12-92. If this allegation is true, the appeal is in time.

Submitted for order.

15/1/93

Petn is replied that the Judgement was delivered in Petitioners presence on 11th Dec 1892. Calculated from that date the appeal is in time.

Proceedings & report to be called for.

15/1

* Vide Memo dated 30-1-93 in March 1893.

Mysore Govt. Central Press Bangalore—7-9-92,—100

Pet
1534

6

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

5

The accompanying Petition No. 2,123

dated 23 —, —93, received at the

Dewan's Office from Range Gowda, son of

Patel Nanje Gowda of Byramanahalli

(Kadlapatna South), Kasaba Hobli,

appealing against the order of the Deputy

Commissioner, Hassan, regarding the petitioner's

claim to the Patelship of Byramanahalli,

is forwarded, together with its

enclosures, to the Deputy Commissioner,

Hassan District, for submission

of proceedings with a report on

the facts of the case and on

the points raised in the petition.

2. The petition, with its enclosures,

should be returned.

L.R. 154-92-2

By Order,

Draft.

for Chief Secretary.

BANGALORE,
June 1893.

3 Petn.

M. G. C. P. Bangalore.—21-11-92—3,000.

Endorsement read

3/6/93.

No 1144
Dated 8th July 93
V.P.

8

Dept. Commissioner's Office,
Hassan District.

Dated, Hassan 11th August 1893

6

From,

C. V. Purnaiya Esqre,
Dept. Commissioner,
Hassan District.

To

The Chief Secretary to the
Government of Mysore
Bangalore.

Sir,

With reference to your official memorandum No 554 dated 8th June 1893, forwarding for report, petition of Kanjerowda of Byrenahalli village, Arkalgud Taluq, appealing against the order of this office regarding petitioner's claim to the Patelship of Byrenahalli village, I have the honor to submit herewith the entire record connected with the case

ending

ending with Tahsildar's
report No. 572/520 and to state that
the petitioner claims to be the
Patel of Jadi Raji Bychanahalli
village. On enquiry it was ascer-
tained that the duties of
Patel were being discharged by
the Jodidar Lingaiah. The Petitioner
thereupon was informed of this
and was told that he could not
be included in the office of Patel
in a summary way for mere
applying for an office, duties of
which he never performed and that
he might prefer a formal claim
if he thought it advisable. He
appeals on this order urging that
he was performing the duties of
the office. In support of this alle-
gation he produces:—

(1) a Petition, presented by Petitioner's
father to Deputy Commissioner in
which

which he describes himself as Patel and complains that Jodidar encroached on his Comdti lands. The Petitioner was referred to the Amildar Dated 16th June 1864

(2). Another Petition in which Petitioner's father describing himself as Patel, complains of one Lukha. That telling upto people not to put up the Police fence. He was referred to the Station Officer Dated Dated 7th April 1869. —

2 — The present Jodidar disputes the existence of any such Comdti land. The past Jodidar who has sold away the village failed to appear on the information, but has presented a Petition to Amildar subsequent to his selling away the village on 31st December 1892 supporting Petitioner's Claim - to the prejudice of the contention put forth by the purchaser concerning the lands

Lands and office. This Petition is inconsistent with his former report Dated 10th April 1892 to which I beg that he has made over charge of Mortuary Register &c which he kept as Patel to the succeeding Patel — the present Petition. —

3 — The Petitions are returned with Vernacular Records. —

I have the honor to be
Sir,
Your most Obedient servant
[signature]
Deputy Commissioner
Hassan District

MYGORE DEWAN'S OFFICE
PETITION DEPARTMENT.
REG'D. NO. 2123
DATE 15-2-93

66 71

Proceedings of the Government of His Highness the Maharaja of Travancore.

(7)

L.R. 1671-1924 Read:-

Petition registered as 2123 dated 28th January 1923 from Thanu Pomma of Bangalore praying that the order of the Deputy Commissioner, Kasaragod District regarding the claim of the Basel Mission to Kayitchamakkali

(2) Proceedings and report received from the Deputy Commissioner with his letter no 1484/19 dated 23rd August 23.

Order thereon No 20198 CR 125-93 dated 21-5-94

The parties were heard.

2 The Government declare to interfere with the Deputy Commissioner's order. Petitioner may if he thinks proper to do so institute his suit

late Jodidar & in none is there any mention that the payments were for "Umbli" lands. In some bare sums are mentioned and in others it is noted that the payments were for "Kandayam" of dry, wet & bagayet lands. The dated December 1882 refers to a suit ~~in the Talak~~ in the Talak Revenue Court (probably instituted by the Jodidar for recovery of Kandayam)

In his deposition dated 19 May 1892 the Petitioner stated that he had no Patta or other reference to show that the lands were Umbli lands nor any reference to show that the Taluk had been conferred (on his family)

The D.C. (concurr.) passed an order that the matter did not seem to be one which could be disposed of by a Summary Enquiry, that it was clear the Inamdar was personally looking after the duties since 1878, and that if Petr had any right and proofs to establish the same, he should proceed by a regular Revenue Suit.

Petr urges in his appeal
(1) that he has a hereditary right to the Jodi.
(2) that the lands are Umbli.
(3) that he will obtain & produce copies of public records

He

He relies in addition to the papers referred to above, upon a Petition presented by the late Jodidar in Dec: 1892, i.e. two months after the date of the Dy Comm's order and 8 months after the sale of the village by which, stating that Petr has been, (illegible) right to the Pakki that he (V Khat:) was ordered to discharge the duties on the death of Petr's father, because Petr was then a minor and that the lands are Inamli lands.

The question for consideration is whether ~~(illegible)~~ the Dy Comm's order referring Petr to a regular suit is, or is not correct

Submitted for orders.

Vp

Post the case for hearing
Vcf
18/3/94

Pl be noted in the book (illegible)
the post
Vp 19/3
Posted to 10-5-94.

The first duty
(illegible) with Govt
order. Hearing of
the Thanks petition by the
Govt Govt established by
Govt of a regular suit

Vcf
10/5/94

(General Serial No. 30.) 2418.

1893.

From

The Deputy Commissioner
Hassan Division

To

The Chief Secretary to the Dewan
of Mysore.

Dated 19th August 1893

Despatched

Received

Enclosures No. Petn & file of Vernacular papers.

General No. 1444

No.

In reply to No. 1554 Dated 1st June 93

SUBJECT

Submitting report on the petition of Nanjegowda of Byrahanahalli, Arkal-gud Taluk against his claim to the Patelship of the Byrahanahalli village, &c.

Petition & Report 21/8

References (to be entered only in the Dewan's Office).

...mitted to the Council.

...timer Nanje gowda claims the
...of a Jodi village - the Inamdar
...is his right to it and states
...ve Emblis land is attached to
...it + that the Inamdar has
...verall doing the duties of the
... The 2nd Com^r declined to
...e in summary proceedings
...ed Petr to a regular suit

... to be prepared -

... to | for hearing.

... to be issued to Appellant

...ogde -

No. 2123.

29-5-94

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT,

21st/29 May 1894

Endorsement granted to Nanje Gonda, son of Patel Nanje Gonda of Bozhanahalli Arkalgud Taluk (8)

in reply to his Petition Registered No. 2123 dated 28th January'93 appealing against the order of the Deputy Commissioner regarding his claim to the Patelship of the Village ....

Petitioner is informed that the Government decline to interfere with the Deputy Commissioner's order. Petitioner may if he thinks proper to do so establish his right by a regular suit.

The Enclosures are returned.

Ad 18/5/94

2 R. 154-92-6

154-92-5

"By Order"

Chief Secretary.

Councillor's order 10/5/94

M. G. C. P., Bangalore—6-3-91.—2000.

Ma 11/5.